IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2466 OF 2007
IN
INCOME TAX APPEAL (L) NO.1206 OF 2007

The Commissioner of Income Tax. ..Appellant.
Vs.
M/s. Bajaj Auto Ltd. ..Respondent.

Mr.P.S.Sahadevan for the Appellant.

Ms. V.B. Patel for the Respondent.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 11TH DECEMBER,2007.

PC :

1. This is a Notice of Motion for condoning 142-days delay in filing the aforesaid main appeal. On perusal of the affidavit in support of the Notice of motion, it indicates that the draft of appeal memo was received from the counsel on 22.2.2007 and thereafter, the stamp papers was received on 27.4.2007. The appeal was however, filed on 6.6.2007. The delay caused during the period from 22.2.2007 to 6.6.2007 is not satisfactorily explained. In our opinion, the cause shown is not sufficient cause. Hence, Notice of motion is dismissed.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**

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1. As the Notice of motion for condonation of delay has been dismissed, appeal also stands dismissed. Refund of court fee as per rules. Certified copy expedited.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**